

building a safer future

a guide for communities on navigating the planning system in england to tackle flood risk



Briefing 9: Using neighbourhood plans as a tool to address flood risk



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Briefing 9

Using neighbourhood plans as a tool to address flood risk

Introduction

This briefing aims to give an overview of **neighbourhood plans** and indicates how preparing a neighbourhood plan can help communities to address **flood risk** in their local area.

Why should I care about Neighbourhood plans?

The simple answer is because they can give you a powerful way to take local action on flood risk. Neighbourhood plans were introduced in England in 2011 and can offer communities a real chance to shape the future of their communities. Once adopted, neighbourhood plans have the same legal weight in decision making as the **local plan**.¹ However, on the downside, it takes time and effort to get a plan in place and communities should not underestimate the commitment involved in preparing a neighbourhood plan.

At the moment these voluntary plans don't often deal with flood risk but there's no reason why they can't address this. Neighbourhood Plans could ringfence space for natural **flood defences**, include design standards for new homes or identify safer locations for some housing sites.

Neighbourhood planning has become a useful tool for communities to shape their local area. In England, the government has reported that there are over 2,400 communities that have started neighbourhood planning.²

It is not without its challenges, as rates of neighbourhood planning are not evenly dispersed across the country. There is a much lower take up rate of neighbourhood planning in urban and northern regions, which could be due to a multitude of reasons ranging from geographical constraints to lack of resources to the overarching struggle of facilitating community engagement.³ It is also important to consider that areas with existing **Town and Parish Councils** are usually at an advantage when producing a Neighbourhood Plan, as these existing structures can make the governance and administration easier. Addressing these disparities is essential to enable meaningful *levelling-up* through the empowerment of local communities across all the nation's regions.

1 *Neighbourhood Planning*. Department for Levelling Up, Housing and Communities, September 2020. <https://www.gov.uk/guidance/neighbourhood-planning--2>

2 *Make a Neighbourhood Plan*. UK Government: <https://www.gov.uk/government/get-involved/take-part/make-a-neighbourhood-plan#:~:text=More%20than%202%2C400%20communities%20across,interest%20and%20start%20your%20own>

3 *Impacts of Neighbourhood Planning in England*. University of Reading, May 2020. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/929422/Impacts_of_Neighbourhood_Planning_in_England.pdf

A glossary of the technical terms used in this guide is appended to this Briefing. The first use of a glossary term in each briefing appears in **bold green** text. Clicking on this text will take you to the corresponding entry in the glossary. Clickable links to external sources of information are set in **bold blue**.

What is a Neighbourhood Plan?

A Neighbourhood Plan is a document that is produced by the local community, as represented by a Neighbourhood Forum or the Town / Parish Council. It sets out planning policies for a local area, and is then used by the **Local Planning Authority** (LPA) when deciding whether to approve or deny a planning application.

The organisation **Locality** defines a Neighbourhood Plan as:

- A document that sets out planning policies for the neighbourhood area – planning policies are used to decide whether to approve planning applications
- Written by the local community, the people who know and love the area, rather than the Local Planning Authority
- A powerful tool to ensure the community gets the right types of development, in the right place.⁴

At its core, a Neighbourhood Plan is created by a local community and centred around its specific needs, which can act as a powerful tool to shape planning decisions and ensure that the community benefits from these decisions.

How is a Neighbourhood Plan developed?

The development of a Neighbourhood Plan begins by either establishing a relationship with the local Town or Parish Council who will lead on the process, or in areas without one, establishing a Neighbourhood Forum. Once this has been completed, there are three key stages in creating a Neighbourhood Plan, they are outlined as follows:

1. Establish the local area, engage with the community and create an evidence base;
2. Prepare the plan and ensure it meets the basic conditions; and
3. Submit the plan.⁵

It must be demonstrated that the community was involved in the creation of the plan. Once the drafting of the Neighbourhood Plan is complete, it must pass a referendum to be formally adopted.

How can a Neighbourhood Plan address flood risk issues?

The Neighbourhood Plan must be in conformity both with national policy (including the **National Planning Policy Framework**) and the local plan. As Neighbourhood Plans are designed to allow communities to shape their local area, **flood risk** considerations can be incorporated into the plan.

Neighbourhood planning groups might want to use the **Planning Practice Guidance (PPG) on flood risk and coastal change** (see **Briefing 7** for a summary of this) as a starting point to consider how flood risk affects their local area and what would help improve this locally. Measures suitable for inclusion in the neighbourhood plan might include:

- policy that encourages **green infrastructure** and **sustainable drainage systems** (SuDS);
- directing **development** away from areas that are prone to flooding;
- identifying land where **natural flood management** can be enhanced to '**slow the flow**';
- use information about local climate change risks to understand where local flood risk measures might be required; and
- policies that require buildings to be designed in a way that makes them more resilient to flooding.

All Neighbourhood Plans need to be based on sound evidence, and gathering local information to inform a neighbourhood plan can be a very powerful part of the process, for example by mapping local watercourses and collecting information on local flood impacts. The plan evidence provides the justification for planning policies.

In authority areas where a **community infrastructure levy** (CIL) regime is in operation, having an adopted neighbourhood plan will increase the amount of funding directed to local areas, known as the 'neighbourhood portion'. The Neighbourhood Plan can help identify where the 'neighbourhood portion' of the CIL could be best spent. This might include contributions to flood **resilience** measures such as flood defences and natural flood management, if it is clear that the infrastructure need is increased as a result of additional development in an area.

⁴ *Neighbourhood Planning*. Locality. <https://neighbourhoodplanning.org/about/neighbourhood-planning/>

⁵ *Neighbourhood Plans Roadmap*. Locality, 2018. https://neighbourhoodplanning.org/wp-content/uploads/NP_Roadmap_online_full.pdf

Where can communities get support for neighbourhood planning?

There are many guidance documents for communities that would like to get involved in neighbourhood planning. Some examples are listed below. Your local council is also likely to have guidance on neighbourhood planning on their website.

- Centre for Sustainable Energy: [Neighbourhood Planning in a Climate Emergency, Feb 2020](#)
- **DLUHC: Update on financial support for neighbourhood planning in 2022/23**
- Environment Agency: [Neighbourhood Plan Checklist](#)
- **Locality: Neighbourhood Planning for the Environment**

All groups that engage in neighbourhood planning are eligible to apply for up to £10,000 in grant funding. You can find further information on Locality's [Grant Funding webpage](#).

Case study

Neighbourhood planning for flood risk

West Finchley Neighbourhood Plan 2020-2035, June 2021

A Neighbourhood Forum in West Finchley have created a Neighbourhood Plan that was fully adopted by the London Borough of Barnet in October 2021. The plan consists of five themes, with the fourth being 'Local Environment', which focuses on addressing key issues in the area such as flood risk. One of the plan's objectives is *"[t]o manage residential development to prevent the possibility of damaging environmental impacts, especially to biodiversity and flood risk."*

Many of the policies within this plan contain measures to ensure that new development does not increase flood risk and employs the appropriate measures, when possible, to integrate preventative methods such as SuDS. The plan draws on a wide range of evidence and utilises existing guidance, such as those created by the Environment Agency, Thames Water and others to inform its policy.

This approach is evident in Policy LE1 which begins by stating that *"[p]roposals that would reduce the amount of flood risk in the Dollis Valley Greenwalk would be supported provided there would be no significant damage to biodiversity or the enjoyment of the Dollis Valley Greenwalk..."*

The policy specifically focuses on Dollis Valley Greenwalk as evidence highlighted this area is at risk of flooding. It is also caveated that supported proposals must alleviate flood risk without displacing the flood risk elsewhere.

For more information visit the [West Finchley Residents Association website](#).

Glossary

Community Infrastructure Levy (CIL)

A charge that local authorities can require developers to pay as part of granting planning permission for new development. It is used to pay for the improvements to local infrastructure needed to support the increase in population and other impacts of new development. Further information is available [here](#).

County Council

A form of elected local government for a county area, responsible for functions such as education, but also minerals and waste planning.

Department for Levelling Up, Housing and Communities (DLUHC)

The UK government department responsible for housing, communities and local government in England (formerly known as the Ministry of Housing, Communities and Local Government).

Developer/property developer

A company that purchases land to be used for new development, such as housing and, usually, undertakes the building of (for example) houses and the development of other infrastructure.

Development

Building on or carrying out other industrial activities on an area of land. In the planning system, it most often refers to the building of new homes.

Development control (or Development management)

The process of approving or rejecting applications for planning permission.

District Council

A form of elected local government for a rural or urban district, with local planning among its responsibilities (some district-level councils are formally named borough councils or city councils).

Environment Agency

Public body with oversight of the management of all sources of flooding and coastal erosion – although it is directly responsible only for managing the risk of flooding from main rivers, reservoirs, estuaries, and the sea. It advises on Strategic Flood Risk Assessments and site-specific flood risk assessments, and on the appropriateness of a proposed development.

Flood defences

Structures designed to prevent flooding or control flood water in order to minimise the harm to people and property.

Flood risk

The combination of the likelihood of a flood event occurring and the impact that the flood would have if it did occur.

Green infrastructure

A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.

Lead Local Flood Authority (LLFA)

An area's Lead Local Flood Authority is either the County Council or the Unitary Authority. Lead Local Flood Authorities are required to provide advice on all planning applications for major development involving surface water drainage. They provide advice on how developments manage surface water drainage and use sustainable drainage systems. LLFAs may also choose to provide advice on flood risk from local sources of flooding, such as surface water and groundwater.

Locality

Definition to add

Local Plan

The plan for future development in your local area, prepared by the Local Planning Authority. It includes maps of where new housing, other development and infrastructure are to go, and also contains policies prescribing the sort of things that can and cannot be built and rules on the quality of anything that is built. A planning application will be accepted much more easily if it is in line with the Local Plan. But planning permission can be given to proposals in areas not allocated in the plan if a substantial case is made. Further information is available [here](#).

Local Planning Authority (LPA)

The council (or National Park Authority in some cases) that carries out planning functions for your local area. In areas where there is both a County Council and a District Council, it is the District Council that prepares the Local Plan.

Material consideration

A planning term for something that should be taken into account when deciding whether to grant planning permission – such as the risk of flooding. Almost anything that relates to development or the use of land is capable of being a material consideration, but it will need to relate to the National Planning Policy Framework or Planning Practice Guidance to be taken seriously.

National Planning Policy Framework (NPPF)

Document setting out the government's planning policies in England, and outlining how they should be applied. The NPPF must be taken into account by the Local Planning Authority when drawing up a Local Plan and in making decisions on planning applications. The NPPF is available [here](#).

Natural flood management

The use of natural processes to minimise the impact of flood events. Examples include restoring bends in rivers to allow more water to be carried, and changing the way that land is managed so that the soil can absorb more water.

Neighbourhood Forum

A body formed either by a Town Council or a Parish Council (where one exists) or by local people for the purpose of producing a Neighbourhood Plan.

Neighbourhood Plan

A document produced by the local community, as represented by a Neighbourhood Forum, which sets out planning policies for a local area and is used by the Local Planning Authority when deciding whether to approve or deny a planning application.

Parish Council

A form of local government – not present in all locations – based on civil parishes and with varying but limited powers. Parish Councils and Town Councils form the lowest tier of local government in the UK.

Planning application

A document (physical or electronic) completed by a person, a group of people or an organisation to request permission from the Local Planning Authority to build something new or make a change to an existing building or structure.

Planning system

The set of processes which together are intended to ensure that development happens in the right place and at the right time, to the benefit of people, the economy, and the environment. These processes are multiple, complex, and carried out by a number of different organisations – mostly public bodies.

Policy

A set of ideas or a plan of what to do in particular situations that have/have been officially established by national or local government.

Regional Flood and Coastal Committee

There are 12 Regional Flood and Coastal Committees in England. They work with the Environment Agency and other partners to understand local issues better.

Resilience

The capacity to withstand or recover from a disaster or emergency such as flooding.

Slow the flow

An approach to land management that uses a range of natural measures to store more water in the landscape and slow down water passing downstream.

Strategic Flood Risk Assessment (SFRA)

The process of collecting information about the risk to an area from flooding from all sources, now and in the future, taking account of the impacts of climate change. It assesses the impact that land use changes and development in the area will have on flood risk. Environment Agency guidance on producing a Strategic Flood Risk Assessment is available [here](#).

Sustainable drainage system (SuDS)

A drainage system in which water does not flow directly into the sewer network. Instead, water is stored locally, thus reducing the risk of surface water flooding. High-quality SuDS schemes include trees and/or other vegetation and provide other landscape and amenity benefits for local communities, but sometimes schemes referred to as a SuDS are just a concrete storage tank underneath a car park.

Town Council

A form of local government – not present in all locations – for small municipalities, operating with varying but limited powers. Parish Councils and Town Councils form the lowest tier of local government.

Unitary Authority

A form of elected local government responsible for providing all local government services for that area.

Viability test

A test carried out during the planning application process to determine whether it is viable for developers to deliver the other measures requested by the Local Planning Authority alongside the proposed development. It has been widely criticised for allowing landowners and developers to claim to be unable to contribute towards infrastructure costs and affordable housing, thus undermining policy requirements and maximising land value and profits at the expense of local communities.



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